

REMARKS

Claims 1-28, 55-57, and 64-74 are pending, with claims 1, 15, and 55 being independent. Claims 29-54 and 58-63 were cancelled in a previous amendment without waiver or prejudice due to a restriction requirement as being drawn to a non-elected invention. Claims 71-74 are added by this amendment. No new matter is being added.

Rejections under Section 103

Claims 1-28, 55-57, and 64-70 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Blumenau (U.S. Patent No. 6,108,637) in view of Guyot et al. (U.S. Patent No. 6,119,098) further in view of Owensby (U.S. Patent No. 6,647,257). Applicant respectfully traverses this rejection.

Claim 1 recites a method of presenting advertising to viewers in a computer program network environment that includes, among other features, monitoring a viewer's interactions with an associated computer system, determining an amount of time to be used in later displaying advertisements on the viewer's associated computer system based on the viewer's monitored interactions, and, based on the determined amount of time, varying an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system.

Applicant respectfully requests reconsideration and withdrawal of the rejection because Blumenau, Guyot, and Owensby, either alone or in combination, fail to describe or suggest all of the features of claim 1. Specifically, Blumenau, Guyot, and Owensby, fail to describe or suggest "based on the determined amount of time, varying an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system," as recited in claim 1 (emphasis added).

The Office Action indicates that "the combination of Blumenau and Guyot did not expressly [describe] varying an amount of display time (duration or length of advertisement display time)." See Office Action, page 4. The Office Action instead relies on Owensby to describe such a feature.

The cited sections of Owensby describe “inserting messages, and in particular, commercial information or advertisements, into a wireless mobile communication.” See Owensby, Abstract. The messages may be inserted into the wireless mobile communication to subsidize the cost of the messages for a subscriber. “The messages are targeted to the subscriber of the basis of: the location of the terminal at the time of the wireless mobile communication; demographic and personal preference data pertaining to the subscriber; responses made to the messages previously provided to the subscriber; or the historical movement patterns of the subscriber.” See Owensby, Abstract. “The length of each advertisement may vary allowing for higher or lower subsidy levels.” See Owensby, col. 19, lines 37-39. Furthermore, “the appropriate number of advertisements [may] be inserted into the call to generate the desired subsidy.” See Owensby, col. 20, lines 41-43.

The cited Owensby sections do not describe varying an amount of display time for which a later displayed advertisement is to be displayed on the viewers associated computer system, based on an amount of time that is determined from monitored viewer interactions. Instead, the cited sections of Owensby merely describe selecting advertisements to be presented to a subscriber based on a subsidy level that is specified by the subscriber. The advertisements are selected such that the collective number and length of the advertisements satisfies the specified subsidy level. The amount of time for which the advertisements are presented to the subscriber are however fixed and thus determined by Owensby based on the number and the lengths of the advertisements. Consequently, the cited sections of Owensby do not describe varying, based on a display time derived from monitored viewer interactions, an amount of time for which a later advertisement is to be displayed. More specifically, e.g., the cited sections do not describe or suggest a manner in which the amount of time may be varied, such as, for example, by monitoring a viewer's interaction with an associated computer system.

Therefore, Owensby does not remedy the failure of Blumenau and Guyot to describe or suggest “based on the determined amount of time, varying an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system,” as recited in claim 1. Thus, Blumenau, Guyot, and Owensby, either alone or in combination, do not

describe or suggest "based on the determined amount of time, varying an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system," as recited in claim 1.

For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of independent claim 1 and its dependent claims.

Similarly, claims 15 and 55 recite arrangements in which an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system is varied based on the determined amount of time. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 15 and 55, and their respective dependent claims, for at least the reasons described above with respect to claim 1.

Other Claims of Importance

Applicant respectfully draws Examiner's attention to dependent claims 8-13, 22-27, and 71-74, which describe the viewer's interactions with an associated computer system that are monitored. For example, claims 8-13, 22-27, and 71-74 describe the following viewer interactions that may be monitored:

- use of a computer mouse or a computer keyboard;
- an auditory signal, such as a viewer's voice;
- maximization and minimization status of a screen displaying advertising;
- use of a device that sends an input, or that causes an input to be sent, to the associated computer system;
- interactions other than interactions indicating an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system; and
- interactions with an application other than an application for indicating an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system.

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No fees are believed to be due. During the prosecution of this application, please apply any deficiencies or credits to deposit account 06-1050.

Respectfully submitted,

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